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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

DN A01462

In re application of: M. Merlau et. al.

Serial No.: 10/702,361 : Group Art Unit: 1615

Filed: 11/06/2003 : Examiner: B. P. Barham

For: Durable Hold Hair Styling Compositions and Method of Use

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Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

CERTIFICATION OF FACSIMILE TRANSMISSION

I hereby certify that the following papers are being facsimile transmitted to the Patent and Trademark Office on the date shown below.

Response

November 5, 2007

Date

Thomas D. Rogerson

Signature

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RESPONSE

This Response is submitted in response to the Final Official Action Dated September 5, 2007.

REMARKS

Claims 1 and 7 are pending in this Application. Claims 8 and 9 are withdrawn.

Rejection under 35 USC 103(a) as being unpatentable over US 2004/0057923 ('923) or 2003/0147833 ("833).

Claims 1 and 7 are rejected under 35 USC 103(a) as being unpatentable over US 2004/0057923 ('923) or 2003/0147833 ("833) in that both '923 and '833 teach a reshaping hair styling compositions comprising at least one (meth)acrylic copolymer which comprises: (a) units derived from at least one monomer chosen from butyl (meth)acrylate monomers, (b) units derived from at least one monomer chosen from hydroxy alkyl (meth)acrylate monomers, and optionally units derived from at least one monomer other than the (a) and (b) monomers which would make Applicants' invention obvious to one of ordinary skill in the art at the time the invention was